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6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 v.

9 DION EAGLIN,

10 Defendant.

CASE NO. CR05-00402 RSL

PROPOSED FINDINGS OF FACT  
AND DETERMINATION AS TO  
ALLEGED VIOLATIONS OF  
SUPERVISED RELEASE

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12 INTRODUCTION

13 I conducted a hearing on alleged violations of supervised release in this case on June  
14 19, 2008. The defendant appeared pursuant to summons and remains in the community.  
15 The United States was represented by Mary Dimke, and Defendant was represented by  
16 Stephan Illa. The proceedings were digitally recorded.

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18 CONVICTION AND SENTENCE

19 Defendant was sentenced in the Western District of Louisiana on June 18, 1997, by the  
20 Honorable John M. Shaw, for Possession with Intent to Distribute Cocaine Base. He  
21 received a term of 132 months of imprisonment and five years of supervised release. He  
22 was released from custody on August 30, 2005. On November 9, 2005, jurisdiction was  
23 transferred to the Western District of Washington.

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26 PROPOSED FINDINGS OF FACT  
AND DETERMINATION AS TO ALLEGED  
VIOLATIONS OF SUPERVISED RELEASE - 1

PRIOR VIOLATION

On September 13, 2007, a violation report was submitted alleging Mr. Eaglin committed the crime of negligent driving. Based on the probation office's recommendation, no action was taken. On December 5, 2007, a modification was ordered adding 60 days of electronic monitoring with sobriety and alcohol abstinence.

PRESENTLY ALLEGED VIOLATIONS AND  
DEFENDANT'S ADMISSION OF THOSE VIOLATIONS

In a petition dated May 29, 2008, Supervising U.S. Probation Officer Michael S. Larsen alleged that defendant violated the following conditions of supervised release:

1. Failing to notify probation within 72 hours of arrest or questioning by law enforcement on May 7, 2008, and on May 18, 2008.
2. Driving a vehicle without the required ignition Interlock device on or about May 7, 2008.
3. Failing to report for drug testing, on April 29, 2008 and May 21, 2008.

At the hearing on June 19, 2008, defendant admitted the above three violations, waived any hearing as to whether they occurred, and consented to having the matter set for a disposition hearing before Chief Judge Lasnik.

1                                    RECOMMENDED FINDINGS AND CONCLUSIONS

2            Based upon the foregoing, I recommend the court find that defendant has violated the  
3 conditions of his supervised release as alleged above, and conduct a disposition hearing.  
4 That hearing has been scheduled for July 15, 2008.

5            DATED this 19<sup>th</sup> June, 2008.

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                                     Brian Tsuchida  
                                     United States Magistrate Judge

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13 cc:    Sentencing Judge                :        Hon. Robert S. Lasnik  
14        Assistant U.S. Attorney: :        Mary Dimke  
15        Defense Attorney                :        Stephan Illa  
          U.S. Probation Officer        :        Michael S. Larsen